

MONTANA MESSAGE

December ISSUE

PETRO POLLY

A thief stuck a pistol in a man's ribs and said; "Give me all your money".

The gentleman, shocked by the sudden attack, said, "You can't do this, I'm a United States congressman!"

The thief said, "In that case give me all *my* money".

I've decided Petro Pete needs competition. Therefore I will insert her wisdom at the beginning of my articles to "set the tone". This month's Polly observation may illustrate the masses mood at the elections.....

Like almost every other state in the Union Montana's elections proved to be a landslide change to the Republican side of the aisle. Two years ago the House of Representatives was tied at 50-50; on January 3rd when the Legislature convenes the margin for party control will be 68(R)-32(D); the single largest gain by one party in the history of Montana elections. The Senate saw a gain of one Republican seat with the margin now 28(R)-22(D). There is some discussion of whether or not the national issues affected the voters here, but since the Republicans themselves were surprised at how many seats they picked up, I think there's no doubt that the angst of poor economy, budget deficits and worries over health care spilled over. From the industry perspective we should find the climate for business issues more favorable and, if Democrats want to take any credit for what gets done this Session then they better "come to the center". How Democrat Governor, Brian Schweitzer deals with the Republican Legislature will be interesting as relations with even his own party have been strained. From my perspective, I'm looking forward to this time on the hill in a much more positive note than the last three Sessions.

So bring it on!!

MIXING ZONE LEGISLATION

The MPMCSA Board is feeling somewhat victorious as efforts to advance legislation that would accelerate the closing of petroleum contaminated sites were rewarded when the Environmental Quality Council, Interim Legislative Committee unanimously approved the proposed bill draft for presentation to the Legislature. As previously reported, "mixing zones" would allow petroleum contamination that exceed State water quality standards to remain at a site under certain conditions. The facility owner would receive a "no further action" (nfa) letter from the Department, essentially closing the site. Granting mixing zones would allow properties that fall into this category to be considered more favorably by the Small Business Administration and other commercial lenders. It would also allow property owners to more easily initiate transfers of ownership. The bill draft limits the mixing zone concept to petroleum storage tank releases and would not include such spills/leaks from train or tanker truck wrecks. The endorsement of the EQC comes after a four-year review of the financial status of the Petroleum Tank Release Clean-up Fund. Given the new make-up of the Legislature, the chances appear good for passage of the bill. The Association has been working on this issue for over three years and believes it will help insure the "Petro Funds" financial viability.

MANDATORY ALCOHOL SERVER TRAINING

As previously reported, the Law & Justice Interim Legislative Committee has approved a bill draft that will require mandatory training of servers/sellers of alcohol, both on and off premise. As currently written the bill simply states that licensees must train their employees by a Department approved program. It does not create an individual licensing program and certifications will be valid for five years (although this may be changed to three years). Licensees found to be out of

compliance with the requirement would pay a \$50 fine for each employee working in such a capacity that does not have a current certification. We are sure there will be many amendments proposed to the current draft and will work with legislators to assure the requirements are acceptable to the affected industries.

LOCAL GOVERNMENT CONTROLS

The previous issue regarding server training is one of several “retail” issues that city/county governments have been asserting their own controls over in the last year. We alerted the membership in October to keep abreast of what local agencies are proposing for regulations that can affect the way business is conducted. Example; we are currently working to amend an ordinance in the City of Deer Lodge that adopts a different standard than the State has for server training. This can be inconvenient as many of the smaller cities and towns do not post their meeting agendas in news publications. In Deer Lodge the City Councils’ agendas are only posted on the front door of City Hall which requires a person to physically retrieve the information. However, it’s important that businesses know what’s being proposed so the issue can be dealt with on the front end. It is obviously not productive to have different standards in every city and county for food safety regulations, alcohol server training requirements or, any other business function.

NEW MEMBERS

We would like to welcome a new retailer member to the ranks of the MPMCSA; Marvin Monroe, Monroe’s High Country Travel Plaza in Helena, MT.